

he exchanged his rifle for the Chalice, Cross and Bible and entered the Seminary. He was ordained into the priesthood on June 29, 1954, in Warmia, Poland.

In August, 1962, he emigrated to the United States and subsequently earned his Master's degree from Case Western Reserve University. He was incardinated into the Diocese of Cleveland and taught Slavic languages and literature at Ursuline College. He also studied for his Ph.D. at the University of Ottawa, Canada. For seven years, Father Swirski hosted a religious program on Sunday mornings on WXEN FM in Cleveland. He is also the author of two novels and four books of poetry.

Father Swirski considers his priesthood his most important vocation and has worked diligently to keep St. Hedwig's Parish spiritually and financially viable. Though his parish is small, thanks to Father Swirski, St. Hedwig's has helped the needy through donations of food for many years. Father Swirski never refuses to help meet the spiritual needs of his parishioners, their families, and their relatives.

Father Swirski is the longest serving pastor of St. Hedwig's Parish, serving from July, 1974, to the present. I am grateful for his unflinching and compassionate service to his parish and to the United States of America.

TRIBUTE TO SERGEANT FIRST
CLASS RICHARD J. HENKES

HON. DARLENE HOOLEY

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2006

Ms. HOOLEY. Mr. Speaker, distinguished colleagues, I ask for your attention so we can honor a fallen hero. Sergeant First Class Richard J. Henkes was a proud American, a fellow Oregonian—he was a warrior who stood on the edge of the world so that each of us could enjoy the blessings of liberty.

I ask for this moment because just last week, Richard gave his last full measure of devotion while on patrol in Mosul, Iraq.

Though the war continues on, we must remember the individual sacrifice of the men and women fulfilling their charge. We cannot allow ourselves to forget the faces or the families of the brave soldiers, sailors, airmen, and marines that serve on the brink of chaos so that others might live free.

Sergeant Henkes was courageous; he selflessly went where others feared to tread. I believe that Oregon, that America, that our world is less, far less, for his passing. We can ill afford to lose patriots of his character and passion.

Yesterday we gathered with friends and loved ones to mark the passing of another September 11th. It has been five years since the terror attacks of 2001. Since that day we have been a nation at war; since that moment we have fought that war by sending our best and brightest across the globe to defend our ideals, to protect our communities. And since that time we have been in debt to citizens like Richard Henkes.

Richard wanted a life in uniform so that he could make a difference; he viewed service to his country as a calling and wanted to keep his nation, state, and community safe from harm. Sergeant Henkes understood what many forget: freedom demands sacrifice. We

are indebted to his willingness to take upon himself the burden of service; we are forever connected to Richard because of his devotion to our lives.

Sergeant Henkes remained in the Army because he wanted something better for his daughter Isabel. Like most of us, Richard hoped that his child could inherit a healthier place, a safer community. Sadly, Sergeant Henkes will not be able to secure that future for Isabel, but we can. She is now a part of our family; Isabel is now our shared responsibility.

We in this chamber have an obligation, a duty, to ensure that Isabel inherits a land worthy of her father's sacrifice. We here today, must bear personal responsibility for doing our part—for Richard has already done his.

Although I never had the opportunity to meet Richard, I know him through his actions, his hopes, and his values. When his nation called, Richard answered. When his daughter needed, Richard delivered. And when duty demanded the ultimate sacrifice, Richard fulfilled his charge without hesitation, reservation, or doubt.

Today let us come together and express our profound sorrow at the loss of our Richard Henkes. Let us join in one voice and tell the Henkes family that we thank them for the life and service of their Richard. Let us prove to them by our actions in the future, that his sacrifice was not in vain. And let us endeavor to keep Richard and all those he served with in our thoughts and prayers as we decide the course of our nation.

THE U.N. HUMAN RIGHTS COUNCIL:
REFORM OR REGRESSION?

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2006

Mr. SMITH of New Jersey. Mr. Speaker, last week I chaired a hearing to examine issues related to the new United Nations Human Rights Council, which held its first session from the 19th to the 30th of June, this year, and two special sessions in July and August, respectively.

I believe it is tragic, and dismaying in the extreme to note that despite the self-congratulatory euphoria of many last March at its creation, the new human rights machinery remains broken, in need of serious repair and fundamental reform. The Human Rights Council has, thus far, continued the credibility deficit of its predecessor. The victims of abuse throughout the world deserve better. And, thus far, they haven't gotten it.

Not only did the Council unfairly and myopically criticize Israel at its inaugural session, but both special sessions convened to date—on July 5–6 and August 11—were held exclusively to condemn Israel with nary a mention of egregious abuse by Hezbollah or Hamas or the roles of Syria and Iran.

Amazingly, there has been no special session on the ongoing—and worsening—genocide in Darfur. No special session of the systematic use of torture by the People's Republic of China, even though Manfred Nowak, the U.N.'s own rapporteur on torture, recently issued a scathing report on the pervasive use of torture by the Chinese government; no spe-

cial session on Cuba's abuse of political prisoners or on Burma or North Korea or Belarus or Iran or Zimbabwe. Just Israel.

Not only has the Council expended all its efforts on Israel, but it has also failed to do so in a "fair and equal manner." The Council has made no reference to the roles of Hamas, Hezbollah, Syria and Iran in the creation of the situations concerned or to the harm inflicted by parties other than Israel. Thus, the early evidence indicates that the Council has already been co-opted by an extremely biased and narrow agenda.

This development is of extreme concern, both for the international human rights community and for those of us convinced of the need for reform at the United Nations. The Human Rights Council, and through it the United Nations as a whole, have a vital role to play in the promotion and protection of human rights. It is critical that the United States and other human rights defenders do everything, and as quickly as possible, to reverse the direction in which the Council is heading.

By way of background, on April 19, 2005, the subcommittee that I chair, the Subcommittee of Africa, Global Human Rights and International Operations, held a hearing on the Council's predecessor, the U.N. Commission on Human Rights. In my statement at that hearing, I noted that the Commission had come under increasing criticism from numerous quarters. A U.N. High-Level Panel concluded in December 2004 that the Commission's capacity to fulfill its mandate had been undermined by eroding credibility and professionalism. The Panel pointed out that States with a poor human rights record cannot set the standard for human rights. U.N. Secretary General Kofi Annan later agreed with this assessment, and he told the Commission that "unless we re-make our human rights machinery, we may be unable to renew public confidence in the United Nations itself."

On March 15, 2006, the U.N. General Assembly adopted a resolution that replaced the discredited Commission with the Human Rights Council. The General Assembly gave the Council the mandate to promote "universal respect for the protection of all human rights and fundamental freedoms for all, without distinction of any kind and in a fair and equal manner," and to "address situations of violations of human rights, including gross and systematic violations." The United States was one of four countries to vote against the resolution. The U.S.'s opposition was based on the absence of a stronger mechanism to maintain a credible membership, and thus the lack of assurance that the Council would be an improvement over its predecessor.

In my public statement issued immediately after the resolution's adoption, I expressed my deep disappointment that the General Assembly had settled for a weak and deeply flawed replacement for the Commission. The flaws I noted included the membership concerns expressed by the United States, as well as the lack of protection for Israel from unfair and biased special sessions.

Another potentially serious flaw that I have noted is the Council's mandate to promote follow-up to the goals and commitments related to the promotion and protection of human rights emanating from United Nations conferences and summits. My concern is based in large part on the serious distinction that exists between human rights treaties and consensus

documents resulting from U.N. conferences. Treaties are negotiated by U.N. member states, and they may or may not be subsequently ratified through the established approval process of each country. Those states that do ratify a treaty thereby agree to be bound by its provisions under international law. U.N. conference documents, on the other hand, are the result of policy debates and are agreed to by consensus at the end of the conference. These consensus documents are not negotiated as legally-binding instruments and are not subject to a ratification process. They do not have, and should not have, the same legal authority as treaties.

For this reason, the U.N. General Assembly was extremely misguided when it assigned the Human Rights Council the task of promoting these conference commitments. By doing so, it threatens to diminish the moral and legal persuasiveness of internationally-recognized human rights by equating them with mere policy directives. Even more troubling, the resolution calls for the promotion of human rights "emanating" from the U.N. conferences. The very word "emanating" implies that a characteristic or action need not be clearly defined in a conference document in order for the Council to undertake its promotion. This, together with the fact that these conference documents are consensus documents, raises the specter that any number of characteristics or actions may slide their way into the international human rights framework without the ratified agreement of countries who would then be pressured to abide by their provisions. Such a gaping loophole in the international legal process is antithetical to the democratic ideals of our own country and to the principles on which the United Nations is based.

This potential for the gross abuse of the United Nations human rights mechanisms is already being realized with respect to the issue of abortion. For several years now, the Committee on the Elimination of Discrimination Against Women, the Human Rights Committee and the Committee on Economic, Social and Cultural Rights have been pressuring governments to legalize abortion even though no U.N. human rights treaty addresses the issue. These and other treaty bodies pursue this ideological agenda while ignoring the fact that abortion exploits women and is an act of violence against children. Just two weeks ago, the Committee on the Elimination of Discrimination against Women published "concerns" about the illegality of abortion in Chile, Mauritius and the Philippines. In October 2005, the Human Rights Committee decided in a case from Peru presented to it under the ICCPR Optional Protocol that denying access to an abortion violates women's human rights. It made no reference to the unborn child's right to life and to be free from the terrifying effect of an array of child killing poisons currently on the market or dismemberment.

Even the Committee against Torture, which is responsible for monitoring compliance with the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, is joining this assault on the unborn. In February of this year, pursuant to its review of Peru's compliance with the Convention, the Committee concluded that Peru's "omission" in failing to provide abortion constitutes "cruel and inhuman acts." The Committee has no basis in the Convention for challenging a state party's refusal to provide an

abortion. However, if one were to concede that the Committee is warranted in examining the issue of abortion under Article 16, then the Committee should have no choice but to conclude that the chemical poisoning and dismemberment of the fragile, sensitive body of an unborn child is itself a "cruel and inhuman act." (And now we know that unborn children feel pain at least at 20 weeks gestation—perhaps earlier, which is why I have introduced the Unborn Child Pain Awareness Act.)

In many of their decisions, these treaty bodies do not refer to the text of the treaty they are supposed to be monitoring, but to documents adopted at U.N. conferences. They do so out of necessity, since the countries they are pressuring have never agreed to legalize or provide for the destruction of the life of the unborn in the instruments that they have ratified. Based on this entrenched and growing manipulation of the U.N. human rights mechanisms to promote abortion, there is reason to believe that the Human Rights Council will also be co-opted into promoting ideological agendas at variance with the established human rights norms of the international community.

The skepticism generally about the ability of the Human Rights Council to promote human rights and address human rights violations, and to do so in a fair and equal manner, has increased with the election of its members and subsequent activity. Although the General Assembly resolution states that its members must take into account the contribution of candidates to the promotion and protection of human rights, such notorious human rights abusers as China, Cuba and Saudi Arabia were elected to the Council. Since it began its work less than three months ago, the Human Rights Council has issued three country-specific resolutions, all of them targeting just one country. Such egregious and long-time human rights abusers as Sudan, China, Cuba, Burma, Iran, North Korea, Zimbabwe and Belarus have not even been mentioned on the agenda.

I therefore convened the September 6th hearing to examine what needs to be done to prevent the Council from repeating or further regressing from the failures of the Commission on Human Rights, as well as to support any signs of improvement over its predecessor. The Subcommittee explored how the Council is being assisted by the United States and others to fulfill its mandate, the areas in which further assistance and reform is required, and the standards that the Human Rights Council will need to meet in order to qualify as a credible international human rights body.

In his address in April 2005 to the Commission on Human Rights, the UN Secretary-General argued for a new, reformed human rights council on the basis that it would "allow for a more comprehensive and objective approach. And ultimately it would produce more effective assistance and protections, and that is the yardstick by which we should be measured." It is not too soon to start measuring the Council by this yardstick, and members of the Subcommittee benefited from the testimony of our distinguished witnesses that provided us with the means for such an evaluation.

RECOGNIZING OUTSTANDING
SERVICE TO OUR NATION'S VET-
ERANS

HON. MICHAEL BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2006

Mr. BILIRAKIS. Mr. Speaker, as a veteran myself and an avid advocate for veterans in the United States House of Representatives, I believe it is important to recognize individuals who go above and beyond the call of duty to serve the men and women who bravely wore our nation's military uniform. The James Haley VA Medical Center, VAMC, in Tampa, FL is one of the busiest veterans' medical facilities in the country and provides care to approximately 142,000 veterans in Central Florida.

All employees, excluding service chiefs, who have been employed at the Tampa VAMC for at least 1 year, are eligible to receive the "Hospital Ambassador Award." I am pleased to be able to recognize recent recipients of this award: Geraldine Penia, pharmacy technician; Michele Overland, social worker; Douglas Covey, pharmacist; Jerome Sipes, police officer; Charles Gutierrez, registered respiratory therapist; Ruthe Hunter, supervisor program specialist; Nenita Auza, staff nurse; Betty Thomas, program supply assistant.

I am also pleased to be able to recognize several employees at the Port Richey Outpatient Clinic for their outstanding work. These individuals have received "Employee of the Quarter Awards": Virginia Osmar, program supply clerk; Evelyn Gines-Dasilva, nurse.

I want to extend my sincere appreciation to these outstanding employees of the Department of Veterans Affairs and commend each of them for the tremendous service they provide to our Nation's veterans.

THIS 45TH ANNIVERSARY
CELEBRATION

HON. HENRY J. HYDE

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Tuesday, September 12, 2006

Mr. HYDE. Mr. Speaker, I am delighted to congratulate The Hospitality and Information Service, THIS, of Washington, DC, on its 45th anniversary. Since 1961, THIS volunteers have welcomed diplomats and their families to Washington, providing friendship, assistance and an understanding of Washington and the United States.

THIS was organized in 1961 at the suggestion of Angie Biddle, then Chief of Protocol, to help the hundreds of newly arrived diplomats and their families adjust to Washington. THIS is a private, 501(c)(3) non-profit volunteer organization that receives financial support from its volunteers, the Meridian International Center, and corporations. Its sponsors include members of the President's Cabinet or their spouses, and the spouse of the Mayor of the District of Columbia.

In 1961, there were 101 embassies with 1,200 diplomatic families. Today, embassies total more than 170, with 4,000 diplomats and families in Washington. The 400 volunteers of THIS provide a variety of services and programs to help diplomats and their families